

	Portales Police Department	SOP #	304.01
	Standard Operating Procedure & Policy	PER. #	04.01-04.02
	Off-Duty Employment		
1700 N. Boston St. Portales NM, 88130			
(575) 356-4404		Approval:	Pat Gallegos, Chief of Police

I. POLICY

The policy of this Department is to provide guidelines to Law Enforcement employees to inform them of the types of off-duty employment which are appropriate and to establish procedures to maintain accountability for the welfare of the Department. These requirements are essential for the efficient operation of the Department and for the protection of the community.

II. TYPES OF OFF-DUTY EMPLOYMENT

A. Regular off-duty employment

Employees may engage in off-duty employment that meets the following criteria:

1. Employment of a non-Law Enforcement nature in which vested Police powers are not a condition of employment; the work provides no real or implied Law Enforcement service to the employer and is not performed during assigned hours of duty.
2. Employment that presents no potential conflict of interest between their duties as a Law Enforcement Officer and their duties for their secondary employers. Some examples of employment conflict of interest are:
 - a. As a process server, reposessor, or bill collector, towing of vehicles, or in any other employment in which Law Enforcement authority might tend to be used to collect money or merchandise for private purposes.
 - b. Personnel investigations for the private sector or any employment which might require the Law Enforcement Officer to have access to Law Enforcement information, files, records, or services as a condition of employment.

- c. In a Law Enforcement uniform in the performance of tasks other than that of a Police nature.
 - d. Which assists (in any manner) the case preparation for the defense in any criminal or civil action or proceeding.
 - e. For a business or labor group that is on strike.
 - f. In occupations that are regulated by or must be licensed through the Law Enforcement Agency or its civilian boards.
3. Employment that does not constitute a threat to the status or dignity of Law Enforcement as a professional occupation. Examples of employment representing a threat to the status or dignity or the Law Enforcement profession are:
- a. Establishments which sell pornographic books, magazines, sexual devices, or videos that otherwise provide entertainment or services of a sexual nature.
 - b. Any employment involving the sale, manufacture, or transport of alcoholic beverages as the principal business.
 - c. Any gambling establishment not exempted by law.

B. Extra-duty Employment

Law Enforcement Officers may engage in extra-duty employment as follows:

1. Where a government, profit-making or not-for-profit entity has a contract agreement with the Law Enforcement agency for Law Enforcement Officers in uniform who are able to exercise their Police duties.
2. Types of extra-duty services which may be considered for contracting are:
 - a. Traffic control and pedestrian safety.
 - b. Crowd control.
 - c. Routine Law Enforcement for public authorities.
 - d. Plainclothes assignments.
 - e. D.W.I. enforcement
 - f. Traffic enforcement
 - g. Security for local businesses
3. Law Enforcement Officers engaging in extra-duty employment

will be subject to the policies of this department and the City of Portales policy manual.

III. LIMITATIONS ON REGULAR OFF-DUTY EMPLOYMENT AND EXTRA-DUTY EMPLOYMENT ARE AS FOLLOWS:

- A. In order to be eligible for off-duty and extra-duty employment, a Law Enforcement employee must be in good standing with the Department. Continued Departmental approval of a Law Enforcement employee's off-duty and extra-duty employment is contingent of such good standing.
- B. Those Officers who are on medical or other leave due to sickness, temporary disability or an on-duty injury shall not be eligible to engage in regular or extra-duty employment.
- C. Prior to obtaining off-duty employment, a Law Enforcement employee shall comply with Departmental procedures for granting approval of such employment.
- D. Work hours for all off-duty employment must be scheduled in a manner that does not conflict or interfere with the Law Enforcement Officer's performance of duty.
- E. A Law Enforcement Officer engaged in any off-duty employment is subject to call-out in case of emergency and may be expected to leave his off-duty or extra-duty employment in such situations. The officer is expected to inform their off duty employer that they made be ordered to leave in a department emergency recall at any time.
- F. Permission for a Law Enforcement employee to engage in outside employment may be revoked where it is determined pursuant to Departmental procedure that such outside employment is not in the best interests of the Department.

IV. REQUESTING PERMISSION

Any employee considering *off-duty* employment must submit the off-duty application to the Chief of Police through the chain of command. The request must be approved by the Chief of Police and the City Manager prior to the commencement of outside employment. *Extra-duty* employment will be posted by a designee of the chief of police.

V. COORDINATION AND FOLLOW-UP

- A. The Patrol Lieutenant will see that agreements between the department and government agencies, businesses or organizations are met and renewed as needed. The Executive Secretary will also ensure that the department receives reimbursement for services.

- B. The Patrol Lieutenant will be the point of contact for the department. The Patrol Lieutenant will coordinate with government agencies, businesses and organizations as needed for manpower needs and will oversee officers to ensure they are in adherence to department policies and matters in regards to extra-duty.
- C. The Patrol Lieutenant will assure that the significant aspects of the extra-duty employment is documented prior to commencement of the extra-duty.